

ORIGINAL

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2/26/02

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SHIN-EI BOEKI, LTD,
Plaintiff

v.

SCOTT KAJIYA, MICHAEL W.
BINGHAM, CARY BRIGGS, SIGN
LANGUAGE HABITAT, AND SI
SCOOTER WORKS, INC.
Defendants

CIVIL ACTION NO. 1:CV-00-2241

(Judge Kane) ✓

FILED
HARRISBURG, PA

FEB 25 2002

MARY E. D'ANDREA, CLERK
Per Deputy Clerk

**MOTION OF McNEES WALLACE & NURICK LLC
TO WITHDRAW AS COUNSEL**

McNees Wallace & Nurick LLC ("MWN") hereby moves for leave to withdraw as counsel for Defendant Si ScooterWorks LLC ("Defendant") and, in support of its Motion, states as follows:

1. MWN is counsel for Defendant in the above-captioned matter.
2. Defendant is obligated to pay MWN for legal services rendered.
3. MWN has billed Defendant on a monthly basis for legal services rendered.
4. Defendant has not paid MWN for services rendered in this matter nor has Defendant provided adequate assurances of payment.
5. Defendant has violated its legal obligations to MWN with respect to the payment for legal services rendered.
6. MWN is pursuing collection efforts to obtain payment of funds due and owing by Defendant.

7. MWN, in accordance with Pennsylvania Rules of Professional Conduct 1.16(b), advised Defendant that it would not be able to continue its representation unless Defendant met its legal obligations with respect to paying for legal services rendered.

WHEREFORE, McNees Wallace & Nurick LLC respectfully requests that the Court permit McNees Wallace & Nurick LLC to withdraw as counsel for Defendant Si ScooterWorks LLC in the above-captioned matter.

McNEES WALLACE & NURICK LLC

By 
Alan R. Boynton, Jr.
100 Pine Street
P. O. Box 1166
Harrisburg, PA 17108-1166
(717) 232-8000

Attorneys for Defendant Si ScooterWorks LLC

Dated: February 25, 2002

CERTIFICATE OF CONCURRENCE

The undersigned hereby certifies that counsel for Defendants Scott Kajiya and Sign Language Habitat; and the owner of Defendant Si ScooterWorks LLC concur with the Motion of McNees Wallace & Nurick LLC to Withdraw as Counsel. Concurrence was sought from counsel for Plaintiff but Plaintiff has not yet conveyed its position regarding the Motion. Once that position is communicated, this Certificate will be supplemented.

McNEES WALLACE & NURICK LLC

By Alan R. Boynton, Jr.

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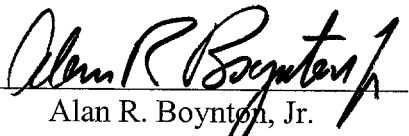
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a true and correct copy of the foregoing document was served by first class mail, postage prepaid, upon the following:

Jonathan S. Ziss, Esq.
Silverman Bernheim & Vogel
Two Penn Center
Suite 9210
Philadelphia, PA 19102

Michael J. Hanft, Esq.
19 Brookwood Avenue
Suite 106
Carlisle, PA 17013-9142

McNEES WALLACE & NURICK, LLC

By 
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Dated: February 25, 2002